

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

The agency identified below in box 1 provides notice of proposed rule change pursuant to *Utah Code* Sections 63-46a-4. Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
Utah Admin. Code ref. (R no.):	R156-54	Time filed:	
Changed to Admin. Code Ref. (R no.):			

1.	Agency:	Commerce/Division of Occupational and Professional Licensing		
	Room no.:			
	Building:	Heber M. Wells Building		
	Street address 1:	160 East 300 South		
	Street address 2:			
	City, state, zip:	Salt Lake City UT 84111-2316		
	Mailing address 1:	PO Box 146741		
	Mailing address 2:			
	City, state, zip:	Salt Lake City UT 84114-6741		
	Contact person(s):			
	Name:	Phone:	Fax:	E-mail:
	Clyde Ormond	801-530-6254	801-530-6511	cormond@utah.gov

(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)

2.	Title of rule or section (catchline):
	Radiology Technologist and Radiology Practical Technician Licensing Act Rules
3.	Type of notice:
	New ____; Amendment XX; Repeal ____; Repeal and Reenact ____
4.	Purpose of the rule or reason for the change:
	The Division and the Radiology Technology Licensing Board are proposing amendments to the rule to define the radiographic procedures that a radiology practical technician can perform based on the training and examinations which they have completed and to update the "Standards of Ethics" from the 1997 edition to the July 1, 2005 edition.
5.	This change is a response to comments from the Administrative Rules Review Committee.
	Yes ____; No XX
6.	Summary of the rule change:
	Section 102: The "practice of a radiology practical technician" is defined and the American Registry of Radiologic Technologists (ARRT) "Content Specifications for the Examination for the Limited Scope of Practice in Radiography" document which is effective January 2006 is incorporated by reference. Section 103: Updated statute citation. Section 502: Updated the ARRT "Standards of Ethics" from the June 1997 edition to the July 1, 2005 edition.
7.	Aggregate anticipated cost or savings to:
	A) State budget:

	<p>The Division will incur minimal costs of approximately \$75 to reprint the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.</p>		
	<p>B) Local government:</p>		
	<p>Proposed amendments do not apply to local governments; therefore, no costs or savings are anticipated. Proposed amendments only apply to licensees and potential licensees as either a radiology technologist or radiology practical technician.</p>		
	<p>C) Other persons:</p>		
	<p>The Division anticipates no costs or savings to the public as a result of the proposed amendments since the proposed amendments are only clarifying what is included in a radiology practical technician's scope of practice and updating the profession's "Standards of Ethics". The proposed amendments do not add any additional requirements that would affect the public. The proposed amendments will apply to licensed radiology technologists and radiology practical technicians and the Division does not anticipate any increased costs or savings. The two documents which are incorporated by reference in the rule can be found on the American Registry of Radiologic Technologists website at no cost. That website is www.arrt.org.</p>		
8.	<p>Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization or any character other than an agency):</p>		
	<p>The Division anticipates no costs or savings to the public as a result of the proposed amendments since the proposed amendments are only clarifying what is included in a radiology practical technician's scope of practice and updating the profession's "Standards of Ethics". The proposed amendments do not add any additional requirements that would affect the public. The proposed amendments will apply to licensed radiology technologists and radiology practical technicians and the Division does not anticipate any increased costs or savings. The two documents which are incorporated by reference in the rule can be found on the American Registry of Radiologic Technologists website at no cost. That website is www.arrt.org.</p>		
9.	<p>Comments by the department head on the fiscal impact the rule may have on businesses:</p>		
	<p>This rule filing contains minor amendments to better define the practice of a radiology practical technician and to update a reference to the profession's code of ethics. No fiscal impact to businesses is anticipated. Francine A. Giani, Executive Director</p>		
10.	<p>This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):</p>		
	<p>Subsections 58-1-106(1)(a) and 58-1-202(1)(a); Section 58-54-1</p>		
11.	<p>This rule adds, updates, or otherwise changes the following titles of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank):</p>		
	<p>Adds the American Registry of Radiologic Technologists (ARRT) "Content Specifications for the Examination for the Limited Scope of Practice in Radiography", effective January 2006. Updates the ARRT's "Standards of Ethics" from the June 1997 edition to the July 1, 2005 edition</p>		
12.	<p>The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the <i>Utah State Bulletin</i>. See Section 63-46a-5 and Rule R15-1 for more information.)</p>		
	<p>A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):</p>		<p>07/17/2006</p>
	<p>B) A public hearing (optional) will be held:</p>		
	<p>on (mm/dd/yyyy):</p>	<p>at (time):</p>	<p>At (place):</p>
	<p>06/21/2006</p>	<p>11:00 am</p>	<p>160 East 300 South - Conference Room 4A (4th floor) - Salt Lake City UT</p>

13.	This rule change may become effective on (mm/dd/yyyy):	07/25/2006
NOTE: The date above is the date on which this rule MAY become effective. It is <i>NOT</i> the effective date. After the date designated in Box 12(A) above, the agency <i>must</i> submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.		
14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "NASA") or proper nouns (e.g., "Medicaid")):	
	licensing	radiology technologists
	radiology practical technicians	
15.	Attach an RTF document containing the text of this rule change (filename):	R156-54.pro
To the agency: Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.		
AGENCY AUTHORIZATION		
Agency head or designee, and title:	J. Craig Jackson, Director	Date (mm/dd/yyyy): 05/18/2006

ProposedRule.doc 9/26/2003

R156. Commerce, Occupational and Professional Licensing.

R156-54. Radiology Technologist and Radiology Practical Technician Licensing Act Rules.

R156-54-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 54, as used in Title 58, Chapters 1 and 54 or these rules:

(1) "ARRT" means the American Registry of Radiologic Technologists.

(2) "Practice as a radiology practical technician" means using radiological equipment limited to specific radiographic procedures on specific parts of the human anatomy as contained in the American Registry of Radiologic Technologists (ARRT) "Content Specifications for the Examination for the Limited Scope of Practice in Radiography", effective January 2006, which is hereby incorporated by reference.

([2]3) "Supervision", "general supervision" or "direct supervision" as used in Subsections 58-54-2(5), (6) and (7) and Section 58-54-8 means that the supervising radiologist or radiology practitioner shall be available for consultation while the radiology technologist or the radiology practical technician is performing any radiographic procedures. Consultation may be in person, by telephone, by radio or any other means of direct verbal communication. The supervising radiologist or radiology practitioner shall be responsible for the radiographic procedures performed by the radiology technologist or the radiology practical technician.

([3]4) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 54, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-54-502.

R156-54-103. Authority - Purpose.

These rules are adopted by the division under the authority of Subsection 58-1-106(1)(a) to enable the division to administer Title 58, Chapter 54.

R156-54-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) performing mammography when not in compliance with the Utah State Department of Health, Bureau of Health Facility Licensure, Mammography Quality Assurance Rules, R432-950;

(2) performing a radiological procedure without having first passed the appropriate qualifying examination;

(3) performing a radiological procedure when not supervised in accordance with Section R156-54-102(2); and

(4) failing to conform to the generally accepted and recognized standards and ethics of the profession including those established in the ARRT "Standards of Ethics", [~~June 1997~~]July 1, 2005 edition, which is hereby incorporated by reference.

KEY: licensing, radiology technologists, radiology practical technicians

Date of Enactment or Last Substantive Amendment: [~~January 20, 2004~~]2006

Notice of Continuation: April 8, 2002

Authorizing, and Implemented or Interpreted Law: 58-54-1; 58-1-106(1)(a); 58-1-202(1)(a)